

**House Study Bill 105 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED JUDICIAL BRANCH  
BILL)

**A BILL FOR**

- 1 An Act relating to the certification and regulation of
- 2 shorthand reporters.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.3105, Code 2015, is amended to read  
2 as follows:

3 **602.3105 Applications.**

4 Applications for certification shall be on forms prescribed  
5 and furnished by the board and the board shall not require that  
6 the application contain a photograph of the applicant. An  
7 applicant shall not be denied certification because of age,  
8 citizenship, sex, race, religion, marital status, or national  
9 origin although the application may require citizenship  
10 information. ~~The board may consider the past felony record of~~  
11 ~~an applicant.~~ Character references may be required, but shall  
12 not be obtained from certified shorthand reporters.

13 **Sec. 2. NEW SECTION. 602.3108 Certification.**

14 The board may issue a certificate to a person of good  
15 moral character and fitness who makes application on a form  
16 prescribed and furnished by the board and who satisfies the  
17 education, experience, and examination requirements of this  
18 article and rules prescribed by the supreme court pursuant to  
19 this article. The board may consider the applicant's past  
20 record of any felony conviction and the applicant's past  
21 record of disciplinary action with respect to certification  
22 as a shorthand reporter in any jurisdiction. The board  
23 may deny certification if the board finds the applicant has  
24 committed any of the acts listed in section 602.3203 or has  
25 made a false statement of material fact on the application for  
26 certification.

27 **Sec. 3.** Section 602.3203, Code 2015, is amended by adding  
28 the following new subsection:

29 **NEW SUBSECTION. 8. Noncompliance with section 602.3204.**

30 **Sec. 4. NEW SECTION. 602.3204 Transcript integrity.**

31 A certified shorthand reporter taking a deposition, or any  
32 other person with whom the certified shorthand reporter has a  
33 principal-agent or employer-employee relationship, shall not  
34 enter into an agreement for reporting services that requires  
35 the certified shorthand reporter to relinquish control of an

1 original deposition transcript and copies of the transcript  
2 before it is certified and delivered to the custodial attorney.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with  
5 the explanation's substance by the members of the general assembly.

6 This bill relates to the certification and regulation of  
7 shorthand reporters (court reporters).

8 Current law provides that a shorthand reporter shall  
9 not engage in the profession of shorthand reporting unless  
10 the person is certified. The bill expands the criteria for  
11 obtaining such a certification. Under the bill, the board  
12 of examiners of shorthand reporters may issue a certificate  
13 to a person of good moral character and fitness who makes  
14 application on a form prescribed and furnished by the board  
15 and who satisfies the education, experience, examination  
16 requirements, and rules prescribed by the supreme court. The  
17 bill specifies that the board may consider the applicant's  
18 past record of any felony conviction and the applicant's past  
19 record of disciplinary action with respect to certification.  
20 The bill further specifies that the board of examiners of  
21 shorthand reporters may deny certification if the board finds  
22 the applicant has committed any of the acts listed in Code  
23 section 602.3203 or has made a false statement of material fact  
24 on the application for certification.

25 The bill expands the conditions under which the board of  
26 examiners of shorthand reporters may revoke or suspend the  
27 certification of a shorthand reporter to include noncompliance  
28 with new Code section 602.3204 relating to transcript integrity  
29 as created in the bill.

30 New Code section 602.3204 is created to prohibit a shorthand  
31 reporting services agreement from requiring a certified  
32 shorthand reporter to relinquish control of an original  
33 deposition transcript and copies of the transcript before it is  
34 certified and delivered to the custodial attorney.